



CRM-M-36824-2024

-1-

**215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(1) CRM-M-36824-2024

Akash Chauhan Petitioner
Versus
State of HaryanaRespondent

(2) CRM-38573-2024

Daulat Rana @ Sagar Petitioner
Versus
State of Haryana Respondent

Date of Decision: 28.10.2024

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Zorawar Singh Chauhan, Advocate
for the petitioner in CRM-M-36824-2024.

Mr. Ashish Grewal, Advocate for
the petitioner in CRM-M-38573-2024.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Rajesh Bhardwaj, J. (ORAL)

1. This common order will dispose of both the above-mentioned petitions as both the petitions have arisen out of same FIR.

2. Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.565 dated 13.06.2024, under Section 308, 323, 506, 34 IPC, registered at Police Station Yamuna Nagar City, District Yamuna Nagar.

3. As per facts of the case, a complaint was filed by complainant, namely, Sharad Tyagi son of Rajesh Tyagi, with the police, wherein, it was alleged that he was running a factory in partnership with Prashant Pathak in the name of Shruti Industries at village Pansara. Akash Rana (petitioner in CRM-M-36824-2024) was working as a worker in their factory for only six



CRM-M-36824-2024

-2-

days in one month. Akash Rana was given salary for the days he worked and on this he got annoyed. He called Anshul, Manager of the factory for discussion to Hotel Desire near Santpura Road, Yamuna Nagar. Upon this they reached the hotel on 12.06.2024, where Akash Rana, Sagar Rana (petitioner in CRM-M-38573-2024), Robin Virk and others were present. However, Robin hit the complainant with a brick and then attacked with an axe like weapon on the head of the complainant. Deepak and Prashant came to rescue the complainant and then Akash Rana and Sagar attacked them with bricks and stones. They suffered multiple injuries. Request was made to take legal action against all the culprits. On the basis of the complaint, the FIR was registered and the investigation commenced. Both the petitioner were arrested on 13.06.2024. Petitioners Akash Chauhan and Daulat Rana alias Sagar approached the Court of learned Additional Sessions Judge, Yamuna Nagar at Jagadhari praying for grant of regular bail, however, on hearing both the sides, learned Court declined the same vide orders dated 25.07.2024/25.06.2024. Hence, the petitioners are before this Court by way of filing the present petitions praying for grant of regular bail.

4. It has been vehemently contended by counsel for the petitioners that petitioners have been falsely and frivolously implicated in this case. They submit that the only allegation made against the petitioners is that they caused injuries to the complainant with the bricks and stones, which are not grievous in nature. To buttress their arguments, they submit that this FIR was registered due to misunderstanding between the parties and hence, both the sides have amicably resolved their issues by way of compromise dated 24.10.2024. It is submitted that the petitioners have no criminal antecedents.



They have further submitted that challan has already been presented and hence, in these facts and circumstances of the case, the petitioners deserve to be granted regular bail.

5. Learned State counsel has opposed the submissions made by counsel for the petitioners. He has submitted that the petitioners have played an active role and the complainant has suffered injuries. He submits that as there was common intention of the accused, thus they were arrested and allegations were substantiated during the investigation. On instructions from ASI Labh Singh, he submits that challan is presented, charges are framed and out of total 10 prosecution witnesses, 01 official witness has been examined. He further submits that petitioner Daulat Rana is prosecuted in other case as well, however, he is on bail in that case, however, petitioner Akash Chauhan is not involved in any other case.

6. Heard.

7. After hearing counsel for the parties and perusing the record, it is apparent that the FIR was registered on the statement of the complainant and the allegations have been levelled against the petitioners that they caused injuries to the complainant with bricks and stones. The investigation is already complete, charges are framed and one witness has already been examined by the trial Court. As has been submitted before this Court that parties have also resolved their inter-se dispute by way of compromise dated 24.10.2024, so the matter is likely to come to an end.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from

commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail to the petitioners.

9. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

		(RAJESH BHARDWAJ)
		JUDGE
28.10.2024	Whether Speaking/Reasoned :	Yes/No
sharmila	Whether Reportable :	Yes/No